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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Nishikawa et al.  
SERIAL NUMBER : 10/593,518 EXAMINER : Elly Gerald Stoica  
FILING DATE : May 22, 2007 ART UNIT : 1647  
FOR : GENE PROMOTING VASCULAR ENDOTHELIAL CELL GROWTH

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copy of cited reference B1; and
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 29473-013 NATL. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

*IA Beattie*

Ingrid A Beattie, Reg. No. 42,306  
Attorney for Applicants  
c/o MINTZ, LEVIN  
Address all written correspondence to  
**Customer no.: 30623**  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Dated: December 5, 2008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Nishikawa et al.

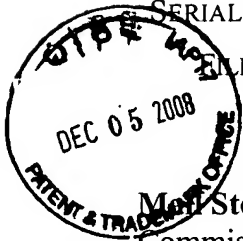
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**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed within three months of the mailing dates of the European Office Action for EP 05 721 019.7, mailed October 8, 2008. Accordingly, no fee is believed required. By the waiver of 37 CFR 1.98(a)(2)(ii) a copy of the U.S. Patent A1-A1 is not submitted.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Nishikawa et al.  
U.S.S.N.: 10/593,518

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 29473-013 NATL.

Respectfully submitted,



Ingrid A Beattie, Reg. No. 42,306

Attorney for Applicants

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**COPY**



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Respectfully submitted,

A handwritten signature in black ink, appearing to read "I. Beattie".

Ingrid A Beattie, Reg. No. 42,306

Attorney for Applicants

c/o MINTZ, LEVIN

Address all written correspondence to

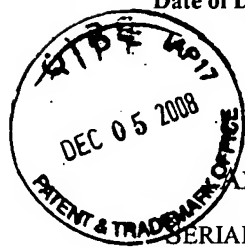
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